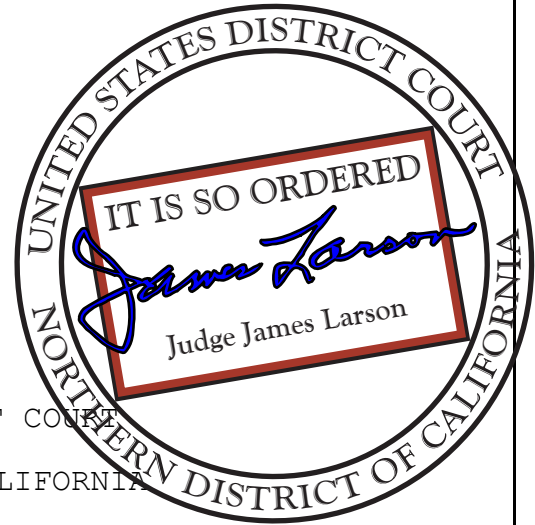


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4 Attorneys for Plaintiff



5
6 UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA

8
9 BOARD OF TRUSTEES OF THE AUTOMOTIVE)
INDUSTRIES, et al.)

10)
11 Plaintiff,)

12 vs.)

13 L.A. SMITH & SONS INC., a California)
corporation)

14 Defendant.)

NO. C 08 1594 JL

PLAINTIFF'S CASE
MANAGEMENT STATEMENT

Date: May 27, 2009

Time: 10:30 a.m.

15 Plaintiff reports the status of this case as follows:

16 Since the last statement on February 23, 2009 defendant has
17 retained counsel for the purpose of settlement discussions with the
18 union. The union confirms that contract discussions are taking place,
19 and has asked for a 30 day continuance in this case to see if those
20 discussions can be successfully concluded.

21 That attorney may not appear in this action. For the time
22 being plaintiff has agreed not to take a default.

23 Plaintiffs respectfully request that the court calendar a
24 case management conference some 30 days hence.

25 DATED: May 19, 2009

Respectfully submitted,

26 ERSKINE & TULLEY
A PROFESSIONAL CORPORATION

27 By: /s/Michael J. Carroll
28 Michael J. Carroll
Attorneys for Plaintiff

PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within above entitled action; my business address is 220 Montgomery Street, Suite 303, San Francisco, CA 94104. On May 19, 2009 I served the within PLAINTIFF'S CASE MANAGEMENT CONFERENCE STATEMENT on the defendant in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office mail box at San Francisco, CA, addressed as follows:

George V. Hartmann, Esq.
THE HARTMANN LAW FIRM
3425 Brookside Road, Suite A
Stockton, CA 95219

Kirk Smith
L.A. Smith & Sons Inc.
903 Williams Street
San Leandro, Ca 94577

I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true and correct.

Executed on May 19, 2009 at San Francisco, CA.

/s/Sharon Eastman
Sharon Eastman